SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: October 27, 2021
FILE NO: 018-06307-0381-055

OFFICE CORRESPONDENCE

FROM: WILLIAM E. JAEGER, COMMANDER
PROFESSIONAL STANDARDS
DIVISION

TO: DUANE D. ALLEN, CAPTAIN
SOUTH LOS ANGELES STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS**

Case Number:	SH2461902
Incident:	Hit Shooting
Incident Date:	August 17, 2018
Unit:	South Los Angeles Station
Suspect(s):	Glass, Cornell, MB/060791
Involved Employees:	Deputy Joshua Smilor, #[redacted] 
EFRC Date:	October 7, 2021

The Executive Force Review Committee (EFRC) consisting of Commanders [redacted] [redacted], Jason A. Skeen, and William E. Jaeger (Chair) met and reviewed the above case.

FINDINGS:

The EFRC determined the use of force was within Department policy.

The EFRC determined the vehicle pursuit, and the tactics used were not within Department policy.

The facts in this investigation support the following charges:

1. That in violation of Department Manual of Policy and Procedures

   Sections 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 3-10/150.00, Tactical Incidents], and/or 3-

01/050.10, Performance to Standards, on or about August 18, 2018, while on-duty and assigned to South Los Angeles Station, Subject Joshua Smilor failed to perform to the standards established for his rank and/or failed to perform his duties in a manner which would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department, when he failed to effectively communicate and/or employ sound tactical principles, and/or taking independent action and/or placing himself in a position of tactical disadvantage during and/or at the terminus of a vehicle pursuit, as evidenced by, but not limited to the following:

a. failing to immediately broadcast on a Sheriff's Communications Center access channel and advise Sheriff's Communications personnel that he and his partner were involved in a vehicle pursuit; and/or,

b. noticing the possible malfunctioning of his patrol vehicle's brakes and continuing with the vehicle pursuit and/or failing to recognize the dangers of operating a vehicle during a pursuit, without fully functioning brakes.

c. failing to recognize proper vehicle pursuit policy by pursuing a "417 suspect," without confirming and/or broadcasting if the suspect brandished a weapon; and/or,

d. failing to recognize a high-risk traffic stop following the pursuit of an armed suspect; and/or,

e. immediately exiting his patrol vehicle and/or approaching an occupied suspect vehicle without pertinent resources on-scene (assisting units, sergeants, Aero Bureau); and/or,

f. failing to take a proper concealment position when engaging an armed suspect which who was last seen running away from the vehicle, which resulted in a deputy-involved shooting.

RECOMMENDATIONS:

Based on an assessment of mitigating and aggravating factors, the EFRC Panel recommended Subject Smilor, #[redacted], receive a suspension with loss of pay and benefits for **seven (7) days.**

The EFRC Panel also recommended Subject Smilor attend the following Department training course(s):

1. **Tactics and Survival – Critical Incident Response (High Risk Contacts)** (key points: tactical communication and decision making) and;
2. **Strategic Communications** (key point: tactical communication).

The EFRC Panel also recommended an in-depth de-brief be held with the involved deputies, and that the incident de-brief also be utilized for Central Patrol Division training.

Chief April Tardy concurred with the recommendations.

WEJ:DJW:djw

SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: October 27, 2021
FILE NO: 018-06307-0381-055

OFFICE CORRESPONDENCE

FROM: WILLIAM E. JAEGER, COMMANDER
PROFESSIONAL STANDARDS
DIVISION

TO: DUANE D. ALLEN, CAPTAIN
SOUTH LOS ANGELES STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2461902
Incident:	Hit Shooting
Incident Date:	August 17, 2018
Unit:	South Los Angeles Station
Suspect(s):	Glass, Cornell, MB/060791
Involved Employees:	Deputy Dorian Ventura, #[redacted]
EFRC Date:	October 7, 2021

The Executive Force Review Committee (EFRC) consisting of Commanders [redacted], Jason A. Skeen, and William E. Jaeger (Chair) met and reviewed the above case.

FINDINGS:

The EFRC determined the use of force was within Department policy.

The EFRC determined the vehicle pursuit, and the tactics used were not within Department policy.

The facts in this investigation supports the following charge:

1. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 3-10/150.00, Tactical Incidents], on or about August 18, 2018, while on-duty and assigned to South Los

Angeles Station, Subject Dorian Ventura failed to perform to the standards established for his rank and/or failed to perform his duties in a manner which would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department, when he failed to effectively communicate and/or employ sound tactics during a vehicle pursuit, as evidenced by, but not limited to the following:

a. failing to immediately broadcast on a Sheriff's Communications Center access channel and advise Sheriff's Communications personnel that you and your partner were involved in a pursuit; and/or,

b. failing to recognize proper vehicle pursuit policy by pursuing a "417 suspect," without confirming and/or broadcasting if the suspect brandished a weapon; and/or,

c. failing to strategically communicate, and/or maintain observation of his partner by splitting up to contact the suspect on the passenger-side of the suspect vehicle; and/or,

d. failing to take a proper concealment position when engaging an armed suspect which who was last seen running away from the vehicle, which resulted in a deputy-involved shooting.

RECOMMENDATIONS:

Based on an assessment of mitigating and aggravating factors, the EFRC Panel recommended Subject Ventura, #[redacted], receive a suspension with loss of pay and benefits for **five (5) days.**

The EFRC Panel also recommended Subject Ventura attend the following Department training course(s):

1. **Tactics and Survival – Critical Incident Response (High Risk Contacts)** (key points: tactical communication and decision making) and;
2. **Strategic Communications** (key point: tactical communication).

The EFRC Panel also recommended an in-depth de-brief be held with the involved deputies, and that the incident de-brief also be utilized for Central Patrol Division training.

Chief April Tardy concurred with the recommendations.

WEJ:DJW:djw

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SH 2461902 / FO 2461923

[redacted]

Suspect

11. Cornell Glass, Booking #5403446

EXHIBITS

A One (1) DVD containing Homicide Bureau's casebook under file number 018-06307-0381-055.

B Justice System Integrity Division of the Los Angeles County District Attorney's Office letter under case number 18-0346, dated November 16, 2020.

C One (1) flash drive containing video surveillance from 111th Street, Firmona Avenue, [redacted], [redacted], Jack-in-the-Box, CHP dash cam, [redacted], Lennox Boulevard and Firmona Avenue, synced video, photographs of Deputy Smilor's injuries, photographs of the crime scene and Suspect Glass's clothing, property damage, Deputies Smilor's and Ventura's Homicide transcripts, and SLA Station radio communications.

D Photographs of Suspect Glass's firearm.

E Deputies Smilor's and Ventura's google maps illustration.

MISCELLANEOUS DOCUMENTS

Deputies Smilor's and Ventura's weapons training and P.O.S.T training records.

A copy of Suspect Glass's medical records.

A copy of Suspect Glass's criminal history report.

Los Angeles County Sheriff's Department Pursuit Technique Intervention Manual, Policy, and Procedures 5-09/210.17.

Los Angeles County Sheriff's Department Baton Launching Platforms Manual, Policy, and Procedures 5-06/040.15.

Deputies Smilor's and Ventura's signed Homicides Bureau video admonishment forms.

Administrative Rights Force/Shooting Investigation forms

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
August 17, 2018	Central Patrol Division / South Los Angeles Station	☐	☑

Incident Information

URN: 018-06307-0381-055	Date: August 17, 2018 — Time: 0113 hours
City or Station: South Los Angeles Station	Nature of Incident: After the termination of a pursuit the suspect pointed a firearm at Deputies Smilor and Ventura. Deputies fired at the suspect striking him twice.
Location: Lennox Blvd. / Firmona Ave., Lennox	

Location Type (check one or more):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☑ Street
- Other:

Lighting (check only one):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☑ Street Lights

Weather (circle only one):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 2' - 30'

Total # of Shots Fired by Deputy: 5

Total # of Shots Fired by Suspect: 0

Incident Type (check one or more):
- ☐ Accidental
- ☑ Armed Person
- ☑ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☑ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☑ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (check only one):
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Stewart	Johnathon	A.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Garcia	Eziquel	NMN	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Jeffrey	Michael	M.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
Officer [redacted] #[redacted]	[redacted]	[redacted]			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
California Highway Patrol	West Los Angeles	90230	310-642-3939		
Last Name	**First Name**	**M.I.**			
Officer [redacted], #[redacted]	[redacted]	[redacted]			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
California Highway Patrol	West Los Angeles	90230	310-642-3939		
Last Name	**First Name**	**M.I.**			
[redacted]	[redacted]	[redacted]			
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**	
[redacted]	[redacted]	[redacted]		[redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Cwierz	Byron	R.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Lopez	Jose	A.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Smith	Michael	J.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Conte	Richard	B.

PSTD Use Only

SH # SH 2461902

SH-R-438A (rev. 04/18/13)

See Reverse

Officer Involved Shooting
Involved Employee Information

URN: 018-06307-0381-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Smilor	First Name: Joshua	M.I.: M.
Sex: M Race: W	Rank: DSG	Unit Assignment: South Los Angeles	Work Assignment (Unit #, Module, etc.): 32 / E.M.
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name: Harbor UCLA	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 4 - 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 6' 00"	Weight: 195		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted] Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Beretta 92FS Caliber: 9mm # Shots: 3	Weapons Fired Brand: Caliber: # Shots:		
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Ventura	First Name: Dorian	M.I.: NMN
Sex: M Race: H	Rank: DSG	Unit Assignment: South Los Angeles	Work Assignment (Unit #, Module, etc.): 32 / E.M.
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 6' 00"	Weight: 208		
Range Qualification Date: 06/25/18	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted] Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]	Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson Caliber: 9mm # Shots: 2	Weapons Fired Brand: Caliber: # Shots:		
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐ Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:	Directed Force: ☐
Weapons Fired Brand: Caliber: # Shots:	Weapons Fired Brand: Caliber: # Shots:		
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 018-06307-0381-055

Suspect Information

S 1

Last Name: Glass		First Name: Cornell	M.I.: C.
AKA Last Name: G-Bomb / Slim		First Name:	M.I.:
Sex: M Race: B	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted] [redacted]
Work Phone:	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 28 D.O.B. 06/07/91	Height: 600 Weight: 204	FBI #: [redacted]	CII #: [redacted]
Booking # 5403446	Primary Charge: 664/187(a) P.C.	Secondary Charge: 29800(a)(1) P.C. / 2800.2(a) CVC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Honda - Black		Model: Accord - 4 Door	Year: 2013 / CA # [redacted]

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Braveman, #[redacted]	Carley	A.	South Los Angeles Station		323-820-6700	
Ojeda, #[redacted]	Jesse	M.	South Los Angeles Station		323-820-6700	
Honea, #[redacted]	Kevin	A.	South Los Angeles Station		323-820-6700	
Orellana, #[redacted]	Ludy	E.	South Los Angeles Station		323-820-6700	
Conti, #[redacted]	Richard	B.	South Los Angeles Station		323-820-6700	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Officer Involved Shooting

URN: 018-06307-0381-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
August 17, 2018	0340 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Carter	Quitman	V.
[redacted]	Ferreras	Ernest	A.
[redacted]	Veatch	Amber	N.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	UC	NN	NN	NN	NN	NN	NN
S1	E1	OV	NN	NN	NN	NN	AB	LE
S1	E1	RS	NN	NN	NN	NN	NN	NN
S1	E1	FH	ZZ	WW	NN	NN	NN	NN
S1	E2	FH	ZZ	WW	NN	NN	NN	NN
E1	S1	CT	NN	NN	NN	NN	NN	NN
E1	S1	OC	NN	NN	NN	NN	NN	FA
E1	S1	FH	BR	9	Y	Y	GS	LE
E2	S1	PH	NN	NN	NN	NN	NN	FA
E2	S1	FH	BR	9	Y	Y	GS	BK

See Front Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting**

IAB FILE NUMBERS: **SH 2461902 / FO 2461923**

URN#: **018-06307-0381-055**

DATE/TIME: **August 17, 2018, 0113 Hours**

LOCATION: [redacted] **Lennox Boulevard, Los Angeles 90304**

SYNOPSIS

On August 17, 2018, an Internal Affairs Bureau (IAB) Force and Shooting Rollout Team comprised of Lieutenant Vince Carter, #[redacted], Sergeants Ernest Ferreras, #[redacted], and Amber Veatch, #[redacted], responded to [redacted] Lennox Boulevard, Los Angeles regarding an on-duty deputy involved hit shooting.

The incident involved South Los Angeles Station Deputies Joshua Smilor and Dorian Ventura. The shooting followed the termination of a vehicle pursuit which resulted in Deputies Smilor and Ventura firing their duty weapons at Suspect Cornell Glass.

Suspect Glass sustained one gunshot wound to his lower back and one gunshot wound to his left leg. He was transported to Harbor UCLA Medical Center where he was treated for his injuries.

Lieutenant Carter took reasonable steps to ensure the involved employees and witness personnel did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators.

Investigators Alfred Jaime, #[redacted], and David Gunner, #[redacted], from the Los Angeles County Sheriff's Department (LASD) Homicide Bureau assumed control of the shooting investigation. For further information regarding the investigation conducted by Homicide Bureau, refer to the Homicide casebook under file number 018-06307-0381-055 **[EXHIBIT A]**.

The Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office reviewed the non-fatal shooting of Suspect Glass. In their letter of opinion, dated November 16, 2020, Deputy District Attorney Shannon Presby concluded

Deputies Smilor and Ventura acted lawfully in self-defense, in defense of others, to stop a fleeing felon **[EXHIBIT B]**.

SUMMARY

On August 17, 2018, Deputies Smilor and Ventura were working South Los Angeles Station patrol, Unit #32, on early morning shift. Deputy Smilor was driving and Deputy Ventura was the passenger. They were in the area of 119th and 120th Streets when they saw a black Honda Accord (CA, License #[redacted]) with a broken brake light. The vehicle was driven by Suspect Cornell Glass, the sole occupant. They conducted a traffic stop. Suspect Glass stopped his vehicle in a driveway of a home on 119th Place. Deputies stopped their patrol vehicle on the street behind Suspect Glass' vehicle. Deputy Smilor contacted Suspect Glass and Deputy Ventura advanced to the passenger side. Deputy Smilor asked Suspect Glass to place his hands on the steering wheel, which he complied.

Deputy Smilor initiated a conversation with Suspect Glass, who indicated he was on parole for a firearm offense. Deputy Smilor recognized tattoos on Suspect Glass' arm to be consistent with those of a local criminal street gang. The gang tattoos made Deputy Smilor believe Suspect Glass was a gang member. The more questions Deputy Smilor asked, the more Suspect Glass became uncooperative. He began to repeat Deputy Smilor's questions, changed his answers, and became angry when Deputy Smilor questioned his answers. Deputy Smilor asked the suspect to exit the vehicle. Suspect Glass began using profanity stating, "Fuck this. Fuck you. I'm not coming out." The suspect reached down and started the vehicle. As he started the vehicle, Deputy Smilor saw the butt and grip of a gun between Suspect Glass' leg and the center console. He recognized the gun to be an FN57. Deputy Ventura also saw the firearm, but was unable to recognize the type of firearm.

> **IAB Note:** **The FN Five-seveN® is a single-action semi-automatic firearm. The firearm holds a 5.7 x 28mm caliber high-energy projectile round.**

Suspect Glass turned his steering wheel to the right and accelerated. The vehicle quickly reversed toward Deputy Smilor. Suspect Glass' actions caused Deputy Smilor to move out of the way to avoid being struck by the vehicle. Deputy Smilor fell to the ground and was unsure if he had been struck by the vehicle. Suspect Glass struck the front of the patrol vehicle as he reversed, then shifted into drive and accelerated across the lawn of an adjoining property. As Deputy Smilor ran back to his vehicle, he stumbled and dropped his notebook. Both deputies believed Suspect Glass intentionally attempted to hit Deputy Smilor with his vehicle. As they re-entered their patrol vehicle, they lost sight of Suspect Glass as he drove north on Fenton Avenue from 119th Place. Deputy Ventura attempted to broadcast emergent radio traffic with his handheld radio to other South Los Angeles Station units an assault with a deadly weapon on a deputy had occurred, but he fumbled with finding the correct radio frequency channel.

Deputies Smilor and Ventura attempted to locate Suspect Glass by searching nearby streets. Less than a minute later, they saw a vehicle on Imperial Highway with its lights off and with a broken brake light. They attempted to catch up to it to verify if it was Suspect Glass' vehicle. As they got closer to the vehicle, Deputy Ventura confirmed the license plate number was the vehicle they stopped earlier. Deputy Ventura obtained the correct radio frequency and broadcasted emergent radio traffic as Deputy Smilor activated his overhead lights and siren and initiated a vehicle pursuit. Suspect Glass did not pull over, but sped off into a Jack-in-the-Box parking lot. The suspect drove out of the parking lot, directly at their patrol vehicle, swerving at the last minute to avoid a collision.

Suspect Glass continued speeding away as Deputies Smilor and Ventura continued their pursuit. Deputy Ventura continually updated their pursuit information on the radio as Suspect Glass drove on the wrong side of the road and committed several traffic violations. On 111th Street and Sepulveda Boulevard, Suspect Glass collided into a vehicle that was stopped by the California Highway Patrol (CHP). After the collision, Suspect Glass drove onto the sidewalk and toward the CHP patrol vehicle, nearly hitting CHP Officer [redacted]. Suspect Glass did not stop and continued evading Deputies Smilor and Ventura. The incident was captured on surveillance video **[EXHIBIT C, video of collision on 111th Street and EXHIBIT A, pages 141 – 146, Traffic Collision Report under CHP file number 9565-2018-04358]**.

Suspect Glass drove onto Lennox Boulevard and attempted to make a left turn on Firmona Avenue. He abruptly slowed down before making the turn, and the deputies' patrol vehicle collided into the rear of Suspect Glass' vehicle. The collision caused Suspect Glass to crash into a wrought iron fence at [redacted] **[EXHIBIT C, video of collision on Firmona Avenue]**.

Suspect Glass' vehicle came to rest facing north against the wrought iron fence. The patrol vehicle came to rest behind Suspect Glass' vehicle on Lennox Boulevard facing east. Because of the close proximity of the two vehicles and the type of firearm Suspect Glass possessed, Deputy Smilor did not feel safe inside the patrol vehicle or behind cover. Deputy Smilor elected to immediately exit his patrol vehicle and contact Suspect Glass who was still in the driver's seat. Deputy Ventura exited shortly after to assist Deputy Smilor. Suspect Glass' vehicle rocked back and forth as if he was attempting to drive away. Deputy Smilor grabbed Suspect Glass' arms to prevent him from reaching for his firearm. Deputy Smilor gave him commands to exit the vehicle, but Suspect Glass did not comply and pulled his hands away from Deputy Smilor's grasp. Deputy Ventura arrived at the driver's door and punched Suspect Glass two times on his face, which proved ineffective. Deputy Smilor told Deputy Ventura to back-up so he could use his oleoresin capsicum (O.C.) spray on Suspect Glass. Deputy Smilor relinquished his grasp on Suspect Glass and deployed a two to three second burst of O.C. Spray on Suspect Glass' face. Suspect Glass covered his face and Deputy Smilor opened the door, grabbed his arms, and tried to remove him from the vehicle. Suspect Glass straddled the center console. He crouched down, retrieved the firearm, and pointed it at

Deputy Smilor. Deputy Ventura noticed Deputy Smilor moved backward and saw Suspect Glass holding a firearm near his stomach.

Fearing Suspect Glass was about to shoot him, Deputy Smilor drew his firearm, and fired one time at the suspect. Deputy Ventura heard the gunshot and believed Deputy Smilor was shot by Suspect Glass. Suspect Glass exited the vehicle from the front passenger door. Deputies Smilor and Ventura lost sight of Suspect Glass as they took cover behind the driver's side rear passenger door. Suspect Glass reappeared on the right passenger side of the vehicle, looked at Deputy Smilor, and walked toward their position of cover. Deputies Smilor and Ventura could not see Suspect Glass' hands or the firearm, as the vehicle between them obstructed their view. Deputy Smilor fired two additional rounds at Suspect Glass as he approached them. Suspect Glass ducked behind the vehicle then ran east on Lennox Boulevard. Deputy Ventura moved parallel to Suspect Glass, giving him commands to show his hands, but he did not comply. Deputy Smilor used his handheld radio to advise South Los Angeles Station units a deputy involved shooting had occurred. Deputies Smilor and Ventura could not see Suspect Glass' hands as he continued east on Lennox Boulevard. Suspect Glass bent over at the waist and bladed his right shoulder in Deputy Ventura's direction. Believing Suspect Glass was going to shoot him, Deputy Ventura fired his weapon twice at Suspect Glass.

Suspect Glass fell to the ground with his hands tucked underneath his body. Deputies Smilor and Ventura gave the suspect numerous commands to show his hands, but he did not comply. Deputy Honea, Unit 35D, Deputy Ojeda, Unit 35, Deputies Jeffrey and Garcia, Unit 34, and Deputies Orellana and Stewart, Unit 32A arrived, along with Sergeant Lopez, Unit 30S. They formulated a tactical plan to detain Suspect Glass.

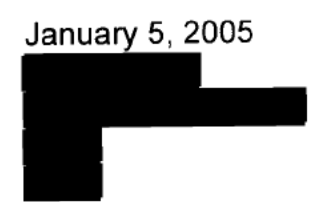
Deputy Braveman saw a firearm inside Suspect Glass' vehicle and recovered it to prevent anyone from the crowd that was forming near Suspect Glass' vehicle, from accessing it. Deputy Braveman secured the firearm inside the trunk of a patrol vehicle. Suspect Glass was provided first-aid by Deputy Honea and paramedics before being transported to UCLA Harbor General Hospital where he was treated for two gunshot wounds.

INVOLVED EMPLOYEE AND WORK HISTORY

Joshua Smilor, Deputy Sheriff, #[redacted]

Central Patrol Division
South Los Angeles Station

Date of Employment:	January 5, 2005
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting incidents:	
Prior Founded Force Incidents:	



Equipment Worn On Person

On August 17, 2018, Deputy Smilor was wearing a long sleeve Class "A" uniform, a bullet resistant vest, including a Sam Browne duty belt. The equipment on his duty belt included: two fully loaded Department issued magazines, handheld radio, keys, two handcuffs, two flashlights, a knife behind his magazine pouch, Oleoresin Capsicum (OC) spray, and a Beretta 92G, Wilson Combat 9mm semiautomatic pistol.

Dorian Ventura, Deputy Sheriff, #[redacted]
Central Patrol Division
South Los Angeles Station

Date of Employment:	October 15, 2007
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting incidents:	
Prior Founded Force Incidents:	

Equipment Worn On Person

On August 17, 2018, Deputy Ventura was wearing a long sleeve Class "A" uniform, a bullet resistant vest, including a Sam Browne duty belt. The equipment on his duty belt included: three fully loaded Department issued magazines, two flashlights, keys handheld radio, expandable baton, two handcuffs, Oleoresin Capsicum (OC) spray, and a Smith & Wesson model M&P, 9mm, semiautomatic pistol.

SUSPECT INFORMATION

Cornell Glass
Male, Black, DOB: June 7, 1991, 6'00", 204 pounds, [redacted], [redacted], CII #[redacted], MAIN #[redacted], FBI #[redacted]

The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Glass [redacted] Suspect Glass' CCHRS report is included in the Homicide Bureau casebook **[EXHIBIT A, pages 165 - 194]**.

WITNESSES

Deputy Jonathon Stewart
Deputy Ezequiel Garcia
Deputy Michael Jeffrey
Deputy Carly Braveman
Deputy Jesse Ojeda
Deputy Kevin Honea
Deputy Ludy Orellana



Officer [redacted]
Officer [redacted]

INJURIES

Suspect Glass sustained one gunshot wound to his lower back and one gunshot wound to his left leg. Suspect Glass' medical report is included in this case under the **Miscellaneous Documents** section.

Deputy Smilor sustained scrapes and abrasions to his left and right knees; refer to the photographs of Deputy Smilor's injuries within **[Exhibit C]**.

PHYSICAL EVIDENCE

All physical evidence, including five expended cartridge casing, was located and collected by Los Angeles County Sheriff's Department Homicide Bureau personnel and Scientific Services Bureau personnel. For a description of the evidence collected, and where it was collected from, see the Homicide Bureau casebook **[EXHIBIT A, pages 37 - 40, 53 - 55, 97 - 99, 102 - 113, and 116 - 117]**.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Investigators Sergeant Chris Maurizi, #[redacted], Detectives Theo Baljet, #[redacted] Mike Davis, #[redacted], and Frederick Morse, #[redacted] **[EXHIBIT A, pages 98 - 99 and 107 - 111]**. Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by Forensic Identification Specialist **[EXHIBIT C, crime scene photos]**.

WEAPON USED BY DEPUTY JOSHUA SMILOR

Deputy Smilor fired three rounds of Department issued 9mm ammunition from his Department approved Beretta 92G Wilson Combat, serial number WC[redacted], semiautomatic pistol. Homicide investigators conducted a round count and they indicated there were three rounds fired **[EXHIBIT A, page 40]**. The firearm was examined by Senior Criminalist April Whitehead, #[redacted], of the Scientific Services Firearms Identification Section and was found to be functional **[EXHIBIT A, pages 161 - 162]**.

Date last qualified: [redacted]
Date last trained with weapon:

WEAPON USED BY DEPUTY DORIAN VENTURA

Deputy Ventura fired two rounds of Department issued 9mm ammunition from his Department issued Smith & Wesson M&P, serial number HRK[redacted], semiautomatic pistol. A round count was conducted and it was indicated there were two rounds fired **[EXHIBIT A, page 40]**. The firearm was examined by Senior Criminalist April Whitehead of the Scientific Services Firearms Identification Section and was found to be functional **[EXHIBIT A, pages 161 - 162]**.

Date last qualified: [redacted]
Date last trained with weapon:

WEAPONS USED BY SUSPECT GLASS

Suspect Glass was in possession of a Fabrique Nationale (FNH), 5.7 x 28, semi-automatic pistol, serial number [redacted]; refer to photos **[EXHIBIT D]**. The firearm was loaded with one round in the chamber and nine rounds inside a magazine. An additional magazine was located within the suspect's vehicle **[EXHIBIT A, pages 31, 110, and 111]**. The firearm, rounds, and magazines were examined by Senior Criminalist April Whitehead of the Scientific Services Firearms Identification Section and found the firearm to be functional **[EXHIBIT A, pages 148 - 160]**.

The firearm was reported stolen on June 9, 2018, under file number 018-08442-2612-065 **[EXHIBIT A, pages 62–95]**.

IAB Note: **The Los Angeles County Sheriff's Department Scientific Services Bureau tested Suspect Glass's firearm, magazine, and ammo. As it related to a portion of the samples, it was determined that, "the analysis provides very strong support for the proposition that Cornell Carey Glass (Suspect Glass) is a contributor to the DNA obtained from this sample" [EXHIBIT A, page 150 and 151].**

PROPERTY DAMAGE

The suspect's 2013 black Honda Accord sedan, CA license #[redacted] incurred collision damage to the front, rear, and driver's side.

A possible bullet strike mark was located on a cinder block wall which separated the property line of [redacted] and [redacted] **EXHIBIT A, page 106]**.

The Sheriff's Department patrol vehicle #SH1168 incurred collision damage to the front.

IAB Note: **The damage to the patrol vehicle was documented on a County of Los Angeles Sheriff's Department Supervisors**

Report of Incident or Damage to County Vehicle or Permittee's Vehicle. Refer to Exhibit A, pages 128 – 140 (file #018-06307-0381-055).

Wrought iron fence and tree at [redacted], [redacted] was damaged.

A streetlight post on the northeast corner of Lennox Boulevard and Firmona Avenue, Lennox, was damaged.

A 2003 grey Toyota Corolla sedan, CA license #[redacted] incurred front end collision damage.
All the property damage was documented and located under **EXHIBIT A, pages 128 - 146 and EXHIBIT C**.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Investigators Jaime and Gunner of the Los Angeles County Sheriff's Department Homicide Bureau.

On August 27, 2018, the following charges were filed by Deputy District Attorney Juliet Schmidt in the Clara Shortridge Foltz Criminal Justice Center:

- Two felony counts of Assault with a Deadly Weapon on a Peace Officer, 245(c) PC;
- One felony count of Evading, 2800.2 CVC;
- One felony count of Evading While Driving Against Traffic, 2800.4 CVC;
- One felony count of Assault with a Deadly Weapon/Firearm, 245(d)(2) PC;
- One felony count of Possession of a Firearm by a Felon, 29800(a)(1) PC;
- One misdemeanor count of Hit and Run, 20002(a) CVC, under case number YA098789 **[EXHIBIT A, pages 1 - 7]**.

On December 4, 2019, Suspect Glass was convicted of the following charges:

- Two counts of robbery, 211 P.C.
- One count of Assault with a Deadly Weapon with a firearm, 245(A)(2) P.C.
- One count of Assault and Battery, 243(D) P.C.
- Two counts of Assault and Battery, 245(C) P.C.
- One count of evading, 2800.2 C.V.C.
- One count of evading while driving in a direction opposite to traffic, 2800.4 C.V.C.
- One count of Assault and Battery on a peace officer with a firearm, 245(D)(2) P.C.
- One count of Hit and Run, 2002 (A) C.V.C.
- One count of a Felon in possession of a firearm, 29800(A)(1) P.C.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during hours of darkness, and the scene was illuminated by an overhead streetlight. The weather was clear and warm.

VEHICLE PURSUIT

LASD Unit 32 was involved in the pursuit of Suspect Glass. The vehicle pursuit was on surface streets and lasted 2 minutes and 50 seconds, traveled 1.94 miles, and reached speeds up to 45 M.P.H. (Refer to Pursuit Evaluation Form and Map).

SURVEILLANCE VIDEO FOOTAGE

On August 17, 2018, the Los Angeles County Sheriff's Department High Tech Crimes Unit recovered and downloaded surveillance video from several locations **[EXHIBIT C]**. IAB investigators contacted Body Worn Camera Unit, Sergeant Christian Meadows, #[redacted], who is a Certified Forensics Video Technician. Sergeant Meadows examined the surveillance videos from this case. He discovered the videos recorded at 25 frames per second, which is an indication there was an error in the recordings. Sergeant Meadows did not identify any dropped video frames.

Sergeant Meadows counted the number of frames using the timestamp embedded on the videos and determined the videos were recorded at 30 frames per second. He transcoded the video at 30 frames per second so the video would play at the correct speed with the timestamp. He resized the video using a smart resize application allowing for better viewing. The videos of the traffic collision and deputy involved shooting were synced and concatenated to play as one single video. The videos were merged side-by-side in order to play in sync and to view the videos together **[EXHIBIT C, synced video]**.

[redacted]

Videos 1 through 5 - Captured the initial traffic stop and Suspect Glass' vehicle traveling west on 119th Place.

[redacted]

Video 1 - Captured Suspect Glass being pursued on 111th Street.

Video 2 - Captured Suspect Glass turning onto 111th Street and it appeared the vehicle's left brake light was inoperable. This video footage also captured Suspect Glass colliding into a vehicle the California Highway Patrol (CHP) had stopped. The vehicle continued onto the sidewalk toward the CHP patrol vehicle and officer.

Jack-in-the-Box

The video captured Suspect Glass's vehicle driving into the Jack-in-the-Box parking lot evading the Sheriff's patrol vehicle and at one point driving toward the patrol vehicle as it attempted to enter the driveway.

CHP Dash Cam

The dash cam portrayed CHP officers [redacted] and [redacted] traffic stop of [redacted]. Suspect Glass was seen colliding with Ms. [redacted] vehicle, driving on the sidewalk, and driving toward the CHP patrol vehicle and officers.

[redacted]

Video 1
12:29:05, Suspect Glass' vehicle crashed into the fence with the patrol vehicle directly behind it. A deputy is seen running toward Suspect Glass' driver's door.

Video 2
12:29:43 – 12:29:50, Suspect Glass is seen running from the passenger side of his vehicle as two deputies moved in his direction.

12:29:04 - Two additional patrol vehicles arrived. Two civilian vehicles are seen parking west of the incident on Lennox Boulevard. One occupant exited a vehicle and two pedestrians stopped on Firmona Avenue and Lennox Boulevard.

12:31:48 – 12:41:50, One deputy is seen walking from Suspect Glass' vehicle to a patrol vehicle. More civilian vehicles appear to stop on Lennox Boulevard and more pedestrians arrived. Deputies established a crime scene with crime scene tape.

Video 3
12:44:00 – 12:47:00, Los Angeles County Fire Department (LACoFD) exited the crime scene and residents from [redacted] exited their home.

Video 4 – Sheriff's personnel secured the crime scene and canvassed the area.

Video 5
12:29:06 – 12:29:41, Video footage recorded west on Lennox Boulevard. The video depicted Suspect Glass crashing into the fence at [redacted] with the LASD patrol vehicle directly behind it. Deputy Ventura exited the passenger side and ran to Suspect Glass' driver's side. Suspect Glass' vehicle rocked backward and forward.

Video 6
12:29:42 – 12:31:25, Suspect Glass is seen running from the passenger side of his vehicle as two deputies chase him. Suspect Glass appeared to be falling and Deputies

Smilor and Ventura point their firearms in his direction. Two Additional LASD patrol vehicles arrive and assist. Civilian vehicles and pedestrians appeared in the background.

12:31:31 – 12:32:27, Deputy Braveman ran to Suspect Glass' vehicle then walked to Deputies Smilor's and Ventura's patrol vehicle trunk.

12:34:40 – 12:44:41,
Deputy personnel established a crime scene with crime scene tape. LACoFD arrived on scene.

Video 7 - LASD personnel secured the crime scene and canvassed the area.

Video 8
12:29:05 – 12:29:41
The video depicted Suspect Glass and the LASD patrol vehicle crashing into the fence at [redacted]. The video footage is obstructed by a tree and lights from a vehicle.

Video 9
12:30:04 – 12:44:41,
Two additional LASD patrol vehicles arrived. Two civilian vehicles are seen parking west of the incident on Lennox Boulevard. One occupant exited a vehicle and two pedestrians stopped on Firmona Avenue and Lennox Boulevard. Deputy personnel established a crime scene with crime scene tape.

Video 10 - LASD personnel secured the crime scene and canvassed the area. Los Angeles County Fire Department personnel exited the crime scene and residents from [redacted] exited their home.

Video 11- The crime scene was secured.

Lennox Bl. and Firmona Av. - Three videos depicting the termination of the pursuit, Deputies Smilor and Ventura approaching Suspect Glass' vehicle and Suspect Glass running from his vehicle while the deputies chased him.

RADIO COMMUNICATION

The following is a summary of **South Los Angeles Station's radio communication [EXHIBIT C]**.

Dispatch 12, #1
Unit 32 requested emergent radio traffic for a vehicle pursuit of a person with a gun. Deputy Ventura provided updates of their pursuit's direction, speed, and traffic.

Dispatch 12, #2

The conclusion of the vehicle pursuit, ended with a traffic collision. A Deputy Involved Shooting occurred and deputy personnel detained the suspect.

SOUTH LOS ANGELES STATION COLD LINE

0:56 – Watch Commander inquired if Aero Bureau was requested.

1:22 – Sheriff's Communication Center provided pursuit speeds.

1:52 – Watch Commander requested additional information on the person with a gun. Was the gun brandished or was it used as an assault with a deadly weapon.

2:38 – Sheriff's Communication Center advised a traffic collision occurred.
3:17 – Sheriff's Communication Center advised a deputy involved shooting occurred.

4:16 – Watch Commander requested if there were outstanding suspects.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies.

INVOLVED EMPLOYEE DEPUTY JOSHUA SMILOR

On August 17, and 20, 2018, Deputy Smilor was interviewed by Homicide Investigators Jaime and Gunner. The interview was audio recorded, summarized, and precise wording may be obtained in the Homicide casebook **[EXHIBIT A, pages 45 - 50 and 57, and EXHIBIT C, Homicide Interviews]**.

On May 18, 2021, Deputy Smilor was interviewed by IAB Investigators at the IAB office. Deputy Smilor was represented by his attorney, Ken Yuwiler.

Deputy Smilor was working EM shift, Unit 32, with his partner Deputy Ventura. Deputy Smilor was the driver and Deputy Ventura was the passenger. Deputies Smilor and Ventura conducted a traffic stop of a black Honda Accord for a brake light violation. The driver (Suspect Glass) pulled into a driveway on 119th Place and Deputy Smilor stopped their patrol vehicle on the street behind the Honda. Deputy Smilor approached the driver's side and Deputy Ventura approached the passenger side. Deputy Smilor asked Suspect Glass to keep his hands on the steering wheel and asked him some basic questions; Driver's license?, where he lived?, and if he was on parole or probation. Suspect Glass admitted he was on probation.

Deputy Smilor suspected Suspect Glass was a gang member when he saw an "R" and "6" tattooed on Suspect Glass' arms. Deputy Smilor recognized the tattoos to be consistent to those of the criminal street gang, "Rollin 60's" Crips."

Suspect Glass began repeating his answers and became increasingly uncooperative. He told Deputy Smilor, "Fuck you. Fuck that," when Deputy Smilor asked him to exit his vehicle. Suspect Glass reached over and started his vehicle. As he started the vehicle, Deputy Smilor saw the grip of a firearm wedged between Suspect Glass' thigh and the center console. Deputy Smilor recognized the firearm's unique "FN" stamped grip. He immediately thought the firearm was a FN five-seven® (Refer to photograph of firearm) **[EXHIBIT D]**. Deputy Smilor remembered station briefings where the FN five-seven® was described as a "Cop Killer" **(Smilor transcripts, pages 7 - 9)**.

> IAB Note: **The FN five-seven® pistol was referred to as a "Cop Killer" from many media reports. It has a unique 5.7x28mm round. It is a mini rifle round with high velocity and a relatively small striking area. It is able to penetrate body armor.**

Deputy Smilor advised Deputy Ventura there was a gun in the vehicle. Suspect Glass placed his vehicle in reverse and collided into their patrol vehicle. As Suspect Glass reversed, Deputy Smilor fell to the ground. He was unsure if Suspect Glass' vehicle hit him or if he had lost his balance attempting to move out of the way. Deputy Smilor believed Suspect Glass intentionally tried to hit him with his vehicle, but he did not believe he tried to kill him **(Smilor transcripts, page 11)**.

Suspect Glass drove forward over the lawn of the adjacent neighbor's house. Deputy Smilor retreated to his patrol vehicle along with Deputy Ventura. Deputy Smilor's knees and hands were scraped from the fall, but he felt he could continue to pursue Suspect Glass. Suspect Glass drove west on 119th Place, and turned north on Felton Avenue and out of view.

> IAB Note: **Deputy Smilor was provided with a google map. He illustrated approximately where the traffic stop occurred and where the pursuit was initiated [EXHIBIT E].**

Deputy Smilor drove in the area of Imperial Highway attempting to re-locate Suspect Glass. Deputy Ventura attempted to communicate to assisting South Los Angeles Station units what had occurred using his hand held radio, but received feedback and believed he was not on the correct radio channel. Deputy Smilor saw the vehicle with its lights off on Imperial Highway and Inglewood Avenue. Deputies Smilor and Ventura positively identified the vehicle by its license plate, and they initiated a vehicle pursuit of Suspect Glass. Deputy Ventura located the correct radio frequency and communicated with South Los Angeles Station units they were in pursuit **[EXHIBIT C, radio traffic]**.

Suspect Glass entered a Jack-in-the-Box parking a lot, and when exiting, he drove directly at Deputies Smilor and Ventura's patrol vehicle. Suspect Glass swerved at the

last minute and drove over a small wall and down the sidewalk. The suspect drove west on Imperial Highway. Suspect Glass made a left turn onto 111th Street and collided with a vehicle that had been stopped by CHP. Suspect Glass drove onto the sidewalk and toward the CHP officer. Deputy Smilor believed Suspect Glass intentionally drove toward the CHP officer.

Suspect Glass continued east on 111th Street and drove north and south on numerous streets, but Deputy Smilor could not recall the names of the streets. As the pursuit traveled north and south, Deputy Smilor felt the brake pedal of his patrol vehicle got soft. He recognized this as an indication his patrol vehicle's brakes were possibly failing. Deputy Smilor recognized this as "brake failure or brake fade." Because the brakes were possibly failing, Deputy Smilor communicated his concern with Deputy Ventura. He elected to continue the pursuit because at the time, the brakes still functioned.

IAB Note: **Vehicle braking system fade, or brake fade, is the reduction in stopping power that can occur after repeated or sustained application of the brakes, especially in high load or high speed conditions. Brake fade can be a factor in any vehicle that utilizes a friction braking system (Wikipedia).**

Suspect Glass drove east on Lennox Boulevard. Deputy Smilor explained the streets in this particular area were short and dark. With that in mind, and the suspect driving with his lights off, Deputy Smilor maintained a close distance between his patrol vehicle and Suspect Glass' vehicle. Deputy Smilor was concerned if he maintained a greater distance; Suspect Glass could discard his firearm out a window, begin shooting at them from his vehicle, or, turn on a short street and ambush them.

As Suspect Glass continued east on Lennox Boulevard approaching Firmona Avenue, he abruptly slowed down and steered left. Deputy Smilor applied his brakes as hard as he could, but his patrol vehicle did not stop. He collided into the rear of Suspect Glass' vehicle. They continued through the intersection of Lennox Boulevard and Firmona Avenue crashing into a fence.

Suspect Glass' vehicle came to rest facing north and Deputy Smilor's patrol vehicle came to rest facing east. Deputy Smilor felt if he remained seated in his patrol vehicle and Suspect Glass elected to shoot at him, the rounds would penetrate his door and kill him. Deputy Smilor looked out his driver's door and saw Suspect Glass' hands on the steering wheel. Suspect Glass was attempting to drive away. Deputy Smilor ran to Suspect Glass and grabbed his hands, extending them outside the driver's window so he could not retrieve his firearm. Suspect Glass pulled his hands away to break free from Deputy Smilor's grasp while yelling profanities. Deputy Smilor gave the suspect commands to exit the vehicle but he did not comply. Deputy Ventura arrived to assist Deputy Smilor and punched Suspect Glass once or twice on his face. Deputy Ventura's punches appeared ineffective because Suspect Glass continued struggling to break free. Deputy Smilor told Deputy Ventura to back away so he could his O.C. spray on Suspect Glass. Deputy Smilor relinquished his grasp and sprayed Suspect Glass on

his face with a two to three second burst of O.C. spray. Suspect Glass covered his face with both hands and Deputy Smilor opened the driver's door. Deputy Smilor reached into the vehicle to pull the suspect out, but Suspect Glass got onto the seat in a crouched position facing the windshield as he straddled the center console.

Suspect Glass retrieved the firearm from between the seat and center console with his right hand, raised it to his stomach area, and pointed it at Deputy Smilor. Deputy Smilor, believing he was about to be shot, stepped back from the door, drew his firearm, and fired one round from his hip at Suspect Glass who was approximately four feet away. Deputy Smilor believed he shot Suspect Glass on his rib-cage. He then retreated for cover behind the rear of the suspect's vehicle. Deputy Smilor felt as if he was "outgunned" and did not want to be involved in a gun battle with Suspect Glass, knowing the type of gun he possessed **(Smilor transcripts, page 38)**.

Deputy Smilor lost sight of Suspect Glass until he re-appeared outside on the right passenger side of the vehicle. Deputy Smilor gave the suspect commands to show his hands, but he did not comply. Deputy Smilor noticed a block wall in the backdrop. Fearing Suspect Glass was just on the other side of the vehicle, still armed, and would come around to assault them; Deputy Smilor fired two more rounds at Suspect Glass from over the top of the vehicle. Deputy Smilor stopped shooting when he lost sight of Suspect Glass.

Deputy Smilor believed the two gunshots caused Suspect Glass to run east on Lennox Boulevard on the sidewalk. Deputy Smilor could not see Suspect Glass' hands as he ran away. Deputy Ventura took two to three steps away from the suspect's vehicle. Deputy Smilor walked toward Deputy Ventura to assist. Deputy Ventura fired three times at Suspect Glass. Suspect Glass fell to the ground with his hands underneath him and Deputies Ventura and Smilor took cover behind an assisting patrol vehicle that arrived after the deputy involved shooting. Deputy Smilor gave Suspect Glass numerous commands to not reach, and to show his hands. Suspect Glass eventually complied. Suspect Glass was then taken into custody by assisting deputy personnel, who provided first aid until paramedics arrived and took over. Deputy Smilor did not see injuries on Suspect Glass, but believed he fell to the ground because he was shot.

INVOLVED EMPLOYEE DEPUTY DORIAN VENTURA

On August 17 and August 20, 2018, Deputy Ventura was interviewed by Homicide Investigators Jaime and Gunner. The interviews were audio recorded, summarized, and precise wording may be obtained in the Homicide casebook **[EXHIBIT A, pages 41 - 44 and 55 -57, and EXHIBIT C, Homicide Interviews]**.

On May 24, 2021, Deputy Ventura was interviewed by IAB Investigators at the IAB office. Deputy Ventura was represented by his attorney, Ken Yuwiler.

Deputy Ventura was working EM shift, Unit 32, with his partner Deputy Smilor. Deputy Ventura was the passenger and Deputy Smilor was the driver. Deputies Smilor and

Ventura conducted a traffic stop on a black Honda Accord for an inoperable brake light violation. The driver (Suspect Glass) pulled into a driveway on 119th Place and Deputy Smilor stopped their patrol vehicle on the street behind the suspect vehicle. Deputy Smilor approached the driver side and Deputy Ventura approached the passenger side.

Deputy Ventura heard Deputy Smilor asking Suspect Glass a series of questions and heard Suspect Glass admit he was on parole or probation for a firearms offense. Deputy Ventura moved to the front fender of the vehicle to look through the windshield to have a better view of the interior. Deputy Ventura noticed Suspect Glass began to sweat, breathe heavily, and looked in both directions. Deputy Ventura believed Deputy Smilor was going to ask Suspect Glass to exit his vehicle when he heard the suspect say, "Fuck this." When Suspect Glass reached to start his vehicle, Deputy Ventura saw the butt of a black firearm between the seat and the center console **(Ventura's transcripts, page 8)**.
Suspect Glass accelerated in reverse and immediately collided with their patrol vehicle. Deputy Ventura momentarily lost sight of Deputy Smilor, and he believed he was struck by the vehicle. Suspect Glass drove forward across the adjacent residential lawn.

Deputy Ventura went toward Deputy Smilor and asked if he was okay. Deputy Smilor was okay and they both ran back to their patrol vehicle. Deputy Ventura lost sight of Suspect Glass' vehicle when it made a north turn onto Felton Avenue. Deputies Ventura and Smilor acknowledged they saw a firearm inside the vehicle and they drove north on Felton Avenue in attempt to re-locate Suspect Glass. They saw a vehicle with its lights off and a broken brake light in the area of Inglewood Avenue and Imperial Highway. They drove toward the vehicle and Deputy Ventura noticed Suspect Glass was driving **(Ventura transcripts, page 15)**.

Once they confirmed they located the correct vehicle, Deputy Ventura initiated emergency radio traffic advising South Los Angeles Station units they were in pursuit of a person with a gun. Deputy Ventura could not remember if he advised South Los Angeles Station units of the assault with a deadly weapon on deputies, because at the time, the thought of the gun was stuck in his mind **(Ventura transcripts, page 19)**.

Suspect Glass drove into the Jack-in-the-Box parking lot, and drove at a high rate of speed straight at their patrol vehicle. Deputy Ventura believed Suspect Glass was going to collide with them, so he braced himself anticipating the collision. At the last second, Suspect Glass turned his vehicle, drove into the drive-thru, down a grassy curb, and back onto Imperial Highway. Suspect Glass drove north on Inglewood Avenue to 111th Street. Suspect Glass made a left turn on 111th Street colliding into a vehicle that CHP had stopped. After colliding with the vehicle, the suspect drove onto the curb toward a CHP officer and his patrol vehicle.

IAB Note: **Deputy Ventura was provided with a google map, which he illustrated approximately where the traffic stop occurred and where the pursuit was initiated [EXHIBIT E].**

Suspect Glass continued to evade by driving north and south on numerous streets. When Suspect Glass was on Lennox Boulevard, he suddenly applied his brakes and attempted to turn left onto Firmona Avenue. Deputy Smilor applied his brakes, but collided into Suspect Glass' vehicle. Suspect Glass' vehicle stopped on the curb facing north and their patrol vehicle stopped facing east. Deputy Ventura advised over the radio they were involved in a traffic accident. Simultaneously, he saw Deputy Smilor at Suspect Glass' driver door. Deputy Ventura exited the patrol vehicle to assist Deputy Smilor. Deputy Smilor attempted to control Suspect Glass' hands and arms as Suspect Glass remained inside the vehicle. Deputy Ventura gave Suspect Glass commands to exit the vehicle but he did not comply. Deputy Ventura punched Suspect Glass in the face two times with his left fist.

The punches did not appear to have an effect and Deputy Smilor said he was going to O.C. spray Suspect Glass. Deputy Ventura stepped back toward the rear door and Deputy Smilor sprayed Suspect Glass on his face with a two to three second burst of O.C. spray. Suspect Glass placed his hands on his face. Deputy Smilor opened the door, grabbed Suspect Glass' hands, and tried to pull him out of the vehicle. Suspect Glass got onto both seats and straddled the center console. He was crouched with his chest facing Deputy Smilor while moving toward the passenger seat. Deputy Smilor stood in the threshold of the driver's door, stepped back, and Deputy Ventura heard a gunshot. Deputy Ventura recalled Deputy Smilor fell backward, which made him believe he was shot by Suspect Glass.

Deputy Ventura was standing near the driver side rear passenger door when he saw Suspect Glass' left shoulder blade toward him and saw a portion of his chest. Suspect Glass was holding a firearm in his right hand near his stomach and was pointing it at Deputy Smilor. Deputy Ventura lost sight of Suspect Glass as the suspect jumped out the passenger side of the vehicle. Fearing Suspect Glass would appear behind them, Deputy Ventura moved to the trunk of the vehicle. Suspect Glass re-appeared on the passenger side of the vehicle and initially walked toward Deputy Ventura's direction before walking east on Lennox Boulevard **(Ventura's transcripts, page 32 and 33)**.

Deputy Ventura could not see Suspect Glass' hands, nor did he see the firearm. Deputy Ventura moved away from the suspect's vehicle, south onto the street, offsetting himself from Suspect Glass. As Suspect Glass walked away, Deputy Ventura saw him bend over at the waist and bladed his right shoulder toward Deputy Ventura. Deputy Ventura believed Suspect Glass still had a firearm and was about to shoot him. Deputy Ventura saw his backdrop was a cinder block wall and he was approximately five yards away when he fired twice at Suspect Glass. Suspect Glass fell to the ground with his hands underneath his chest. Deputy Ventura stopped firing because Suspect Glass no longer appeared as a threat **(Ventura transcripts, page 34)**.

Deputy Ventura heard Deputy Smilor communicate on the radio there was a deputy involved shooting. Deputy Ventura told Deputy Smilor they needed to get behind cover because he did not know where gun was that Suspect Glass possessed. An assisting unit arrived and they took cover behind the patrol vehicle's engine block. They gave

Suspect Glass commands to show his hands but he did not comply. Additional deputies and a sergeant arrived. Deputy Ventura told assisting deputies to get a Taser, shield, and a stun bag. Suspect Glass complied with commands to show his hands and a team of deputies contacted the suspect while he was on the ground.

Deputy Ventura believed Suspect Glass was handcuffed and searched. Deputy Ventura did not see any injuries on Suspect Glass, but the suspect was provided first-aid by a deputy. Deputy Ventura was advised a firearm was not located on or near Suspect Glass. Deputy Ventura asked where the firearm was, and a deputy told him it was recovered and placed in the trunk of his patrol vehicle.

Deputy Ventura later discovered Suspect Glass' firearm was found on the floorboard of his vehicle by Deputy Braveman. Deputy Ventura was told Deputy Braveman recovered the firearm and secured it inside the trunk of Deputy Ventura's patrol vehicle because a crowd of approximately 15 to 20 people gathered around the suspect's vehicle, and deputy personnel did not want someone from the crowd to take the firearm **(Ventura transcripts, page 39)**.

EMPLOYEE WITNESSES

Deputy Johnathan Stewart

On August 17, 2018, Deputy Stewart was working South Los Angeles Station, Unit 32A, with his partner Deputy Ludy Orellana. Deputy Orellana authored a County of Los Angeles Sheriff's Department Supplemental Report for the both of them under file number 018-06307-0381-055 **[EXHIBIT A, pages 33]**.

On March 16, 2021, Deputy Stewart was interviewed by IAB Investigators at South Los Angeles Station. On the day of the incident, Deputy Stewart and his partner, Deputy Orellana were working South Los Angeles Station Unit 32A. Deputy Stewart did not have a very clear recollection of what occurred on the day of the incident, but recalled hearing radio traffic from Deputies Smilor and Ventura. Deputies Smilor and Ventura broadcasted they were in pursuit, and shortly after they were involved in a deputy involved shooting. Deputy Stewart did not recall any further radio traffic being broadcasted. Deputies Stewart and Orellana took approximately 10 minutes to arrive at the scene. A team was formulated, and the suspect was subsequently detained. Deputy Stewart was not certain, but he believed he assumed the responsibility of crowd control. He could not provide any further information.

Deputy Ezequiel Garcia

On August 17, 2018, Deputy Garcia authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, pages 30]**.

On March 16, 2021, Deputy Garcia was interviewed by IAB Investigators at South Los Angeles Station. On the day of the incident, Deputy Garcia was working South Los Angeles Station, Unit 34, with his partner Deputy Jeffrey. Deputy Garcia heard a radio broadcast from Deputies Smilor and Ventura they were in pursuit of a person with a gun. Shortly after, he heard Deputies Smilor and Ventura were involved in a shooting. When he arrived at the scene of the shooting, he saw Deputies Smilor and Ventura's patrol vehicle facing east and the suspect vehicle was up on the sidewalk on the northeast corner of Lennox Boulevard and Firmona Avenue facing north.

He saw the suspect laying on his stomach on the sidewalk. Deputy Garcia and Jeffrey exited their patrol vehicle and waited for additional patrol units to arrive. Once they arrived, a contact team was created to detain the suspect. Deputy Garcia was tasked with the 40mm baton launcher. The contact team approached and handcuffed the suspect. The suspect did not resist and no force was used to detain him. Deputy Garcia did not see injuries or a weapon on the suspect. He did not have further information.

IAB Note: 40mm baton launchers and rounds are a standard less-lethal weapon utilized for patrol operations. Manual Policy and Procedures number 5-06/040.15 is included in this case under the Miscellaneous Documents section.

Deputy Michael Jeffrey

On August 17, 2018, Deputy Jeffrey authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, page 29]**.

On March 17, 2021, Deputy Jeffrey was interviewed by IAB Investigators at South Los Angeles Station. Deputy Jeffrey was working South Los Angeles Station, Unit 34, with his partner Deputy Garcia on the day of the incident. Deputy Jeffrey heard a radio broadcast from Deputies Smilor and Ventura they were in a pursuit. Within minutes of that broadcast, Deputy Jeffrey heard them broadcast they were in a deputy involved shooting. When Deputies Jeffrey and Garcia arrived on scene, Deputy Jeffrey saw the suspect laying on his stomach on the sidewalk. A contact team was created and Deputy Jeffrey was tasked with the ballistic shield. The contact team approached the suspect. The suspect did not resist and there was no force used to detain him. Deputy Orellana handcuffed the suspect and the suspect was subsequently transported to the hospital by ambulance.

Deputy Jeffrey recalled a crowd of approximately 20 people forming near the patrol vehicles **(Jeffrey's transcripts, page 10)**. The crowd became unruly and yelled derogatory comments. Deputy Jeffrey assisted with crowd-control and additional deputy personnel were requested.

Deputy Carly Braveman

On August 17, 2018, Deputy Braveman authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, page 31]**.

On March 29, 2021, Deputy Braveman was interviewed by IAB Investigators at South Los Angeles Station. She was working South Los Angeles Station, Unit 35T, a single deputy unit on the day of the incident. Deputy Braveman heard Deputy Ventura, Unit 32, advised on L-Tac they were in pursuit of a person with a gun. Shortly after, Deputy Ventura used the emergent radio frequency to advise South Los Angeles Station units they were in pursuit of a person with a gun. Deputy Braveman heard them say they were on Lennox Boulevard and Firmona Avenue, and she responded to that location.

When she drove up, she saw Deputies Smilor and Ventura in the middle of the street detaining a suspect at gunpoint. Deputy Honea arrived just before her and Deputies Smilor and Ventura moved to Deputy Honea's patrol vehicle for cover. The suspect was lying on the ground on the north sidewalk with both his hands underneath his body. Deputy Braveman exited her patrol vehicle and held the suspect at gunpoint while Deputy Smilor gave the suspect commands to show his hands, but he did not comply. Once an additional South Los Angeles Station unit arrived, Deputy Smilor pointed to the suspect's vehicle indicating he wanted Deputy Braveman to check it for the gun.

Deputy Braveman checked the suspect's vehicle and found a gun on the front driver's seat. During this time, approximately five to six residents began to assemble outside. Deputy Braveman did not feel it was safe to leave the gun inside the suspect's vehicle because someone could gain access to it. She elected to render the gun safe by clearing the round from inside the chamber. While doing so, Deputy Braveman noticed the round had a blue tip, which she recognized to be indicative of an armor piercing bullet that can travel long distances. She secured the gun inside the trunk of Deputies Smilor and Ventura's patrol vehicle.

Once a sergeant arrived on scene, deputies formulated a tactical plan to detain and handcuff the suspect. Deputy Braveman believed she was assigned the responsibility of radio communications. The suspect was subsequently detained and handcuffed by Deputy Orellana without use of force. Deputy Honea rendered aid to the suspect until fire department personnel arrived and took over. After the suspect was detained, Deputy Braveman saw the crowd grew to approximately 10 to 15 people.

Deputy Jesse Ojeda

On August 17, 2018, Deputy Ojeda authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, pages 18 and 19]**.

On April 1, 2021, Deputy Ojeda was interviewed by IAB Investigators at South Los Angeles Station. On the day of the incident, Deputy Ojeda was working South Los Angeles Station, Unit 35. He was working a single deputy unit when he initially heard someone requesting emergent radio traffic on L-Tac. Deputy Ojeda then heard emergent traffic on the emergent radio frequency Deputies Smilor and Ventura were in pursuit in the area of 104th Street and Inglewood Avenue. Deputy Ojeda responded to the area and heard an update on the radio Deputies Smilor and Ventura were involved in a shooting in the area of Lennox Boulevard and Firmona Avenue. Deputy Ojeda drove to the location, and when he arrived, he saw a male Black adult lying face down on the sidewalk of Lennox Boulevard just east of Firmona Avenue.

Deputy personnel created a contact team to detain the suspect. Deputy Ojeda was tasked to provide updated information to Sheriff's Communication Center (SCC). During this time, approximately 10 to 15 people began to assemble behind deputy personnel on the street and sidewalk. One particular female from the crowd walked up from behind Deputy Ojeda and told him she saw everything. Deputy Ojeda told her to stay back and she complied. The rest of the crowd remained 35 to 45 feet away yelling, but appeared to be cooperative. Deputy Ojeda later discovered there was a firearm recovered from inside the suspect's vehicle and secured in a trunk of a patrol vehicle. After the suspect was detained, Deputy Ojeda attempted to locate the female who told him she saw everything, but she was never found.

Deputy Kevin Honea

On August 17, 2018, Deputy Honea authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, pages 23 and 24]**.

On April 1, 2021, Deputy Honea was interviewed by IAB Investigators at South Los Angeles Station. On the day of the incident, he was working South Los Angeles Station Unit 35D, a single deputy unit. He heard emergent radio traffic Deputies Smilor and Ventura were in pursuit in the city of Lennox. Deputy Honea remembered hearing a deputy involved shooting occurred prior to him arriving at the termination of the pursuit on Lennox Boulevard and Firmona Avenue. He saw Deputy Ventura outside of his patrol vehicle standing on Lennox Boulevard and a male Black adult was lying face down on the sidewalk. He could not remember seeing where Deputy Smilor was at the time, but eventually Deputies Ventura, Smilor, and Honea took cover behind his patrol vehicle's engine block and held the suspect at gunpoint. While waiting for additional units to arrive, Deputy Ventura gave the suspect standard commands to show his hands and not to move.

Once additional units arrived, deputy personnel developed a tactical plan to approach the suspect. Deputy Honea was responsible with the stun-bag. Deputy personnel safely detained and handcuffed the suspect without the use of force. Deputy Honea retrieved his trauma kit and rendered aid to the suspect's gunshot wounds. Deputy

Honea could not recall if a crowd formed because he was focused on his task and there were sufficient units to handle the surrounding area.

Deputy Ludy Orellana

On August 17, 2018, Deputy Orellana authored a County of Los Angeles Sheriff's Department Supplemental Report under file number 018-06307-0381-055 **[EXHIBIT A, page 33]**.

On May 10, 2021, Deputy Orellana was interviewed by IAB Investigators at South Los Angeles Station. On the day of the incident, Deputy Orellana was working South Los Angeles Station Unit 32A, with his partner Deputy Stewart. Deputy Orellana heard emergent radio traffic advising there was a South Los Angeles Station unit in pursuit and a deputy involved shooting had occurred. He could not remember which radio frequency the radio traffic was on, but recalled the last radio traffic update was the deputies were on Lennox Boulevard and Firmona Avenue. When they arrived, Deputy Orellana saw Deputies Smilor's and Ventura's patrol vehicle in the middle of the street. He saw a male Black lying on the north curb line of Lennox Boulevard east of Firmona Avenue. Deputies Smilor and Ventura were near their patrol vehicle, but Deputy Orellana could not remember their exact location.

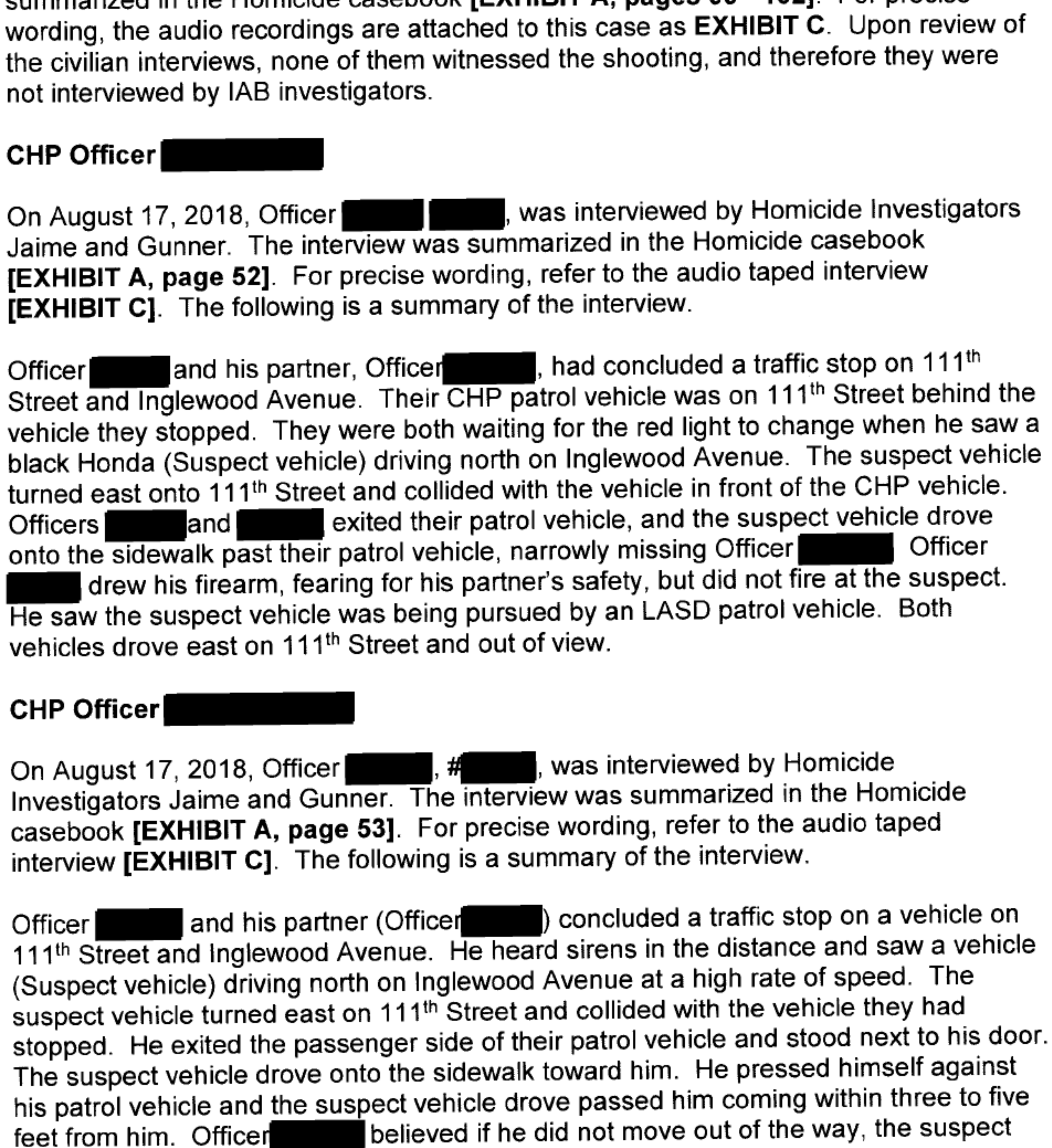
An arrest team was created with Deputy Orellana being assigned with lethal force. The arrest team approached the suspect and Deputy Orellana holstered his firearm and handcuffed the suspect, who did not resist. Deputy Orellana saw the suspect was conscious, breathing, and bleeding. He placed the suspect on his side, and the fire department personnel arrived to render aid to the suspect. Deputy Orellana remembered seeing civilians on the streets, but could not recall how many. Deputy Orellana did not have any further information.

Lieutenant Richard Conti

On August 23, 2021, Lieutenant Conti was interviewed over the phone by IAB Investigators.

On August 17, 2018, Lieutenant Conti was working as the South Los Angeles Station watch commander. He was in the watch commander's office when he heard radio traffic of a pursuit. He walked to the dispatch room and the watch sergeant initiated the cold line with SCC. Lieutenant Conti initially heard the South Los Angeles patrol unit was in pursuit of a suspect with a gun. He attempted to gain additional information regarding the nature of the pursuit. Prior to acquiring the information he needed, the pursuit ended with a traffic accident. Lieutenant Conti would have terminated the pursuit if the involved patrol unit was only in pursuit of a suspect with a gun.

NON-EMPLOYEE WITNESSES



Homicide Investigators Chris Maurizi, #[redacted] and Theo Baljet, #[redacted], contacted numerous civilians. IAB investigators reviewed the audio recordings and interview summaries contained in the Homicide casebook. The nature of these contacts were summarized in the Homicide casebook **[EXHIBIT A, pages 99 - 102]**. For precise wording, the audio recordings are attached to this case as **EXHIBIT C**. Upon review of the civilian interviews, none of them witnessed the shooting, and therefore they were not interviewed by IAB investigators.

CHP Officer [redacted]

On August 17, 2018, Officer [redacted] [redacted], was interviewed by Homicide Investigators Jaime and Gunner. The interview was summarized in the Homicide casebook **[EXHIBIT A, page 52]**. For precise wording, refer to the audio taped interview **[EXHIBIT C]**. The following is a summary of the interview.

Officer [redacted] and his partner, Officer [redacted], had concluded a traffic stop on 111th Street and Inglewood Avenue. Their CHP patrol vehicle was on 111th Street behind the vehicle they stopped. They were both waiting for the red light to change when he saw a black Honda (Suspect vehicle) driving north on Inglewood Avenue. The suspect vehicle turned east onto 111th Street and collided with the vehicle in front of the CHP vehicle. Officers [redacted] and [redacted] exited their patrol vehicle, and the suspect vehicle drove onto the sidewalk past their patrol vehicle, narrowly missing Officer [redacted] Officer [redacted] drew his firearm, fearing for his partner's safety, but did not fire at the suspect. He saw the suspect vehicle was being pursued by an LASD patrol vehicle. Both vehicles drove east on 111th Street and out of view.

CHP Officer [redacted]

On August 17, 2018, Officer [redacted], #[redacted], was interviewed by Homicide Investigators Jaime and Gunner. The interview was summarized in the Homicide casebook **[EXHIBIT A, page 53]**. For precise wording, refer to the audio taped interview **[EXHIBIT C]**. The following is a summary of the interview.

Officer [redacted] and his partner (Officer [redacted]) concluded a traffic stop on a vehicle on 111th Street and Inglewood Avenue. He heard sirens in the distance and saw a vehicle (Suspect vehicle) driving north on Inglewood Avenue at a high rate of speed. The suspect vehicle turned east on 111th Street and collided with the vehicle they had stopped. He exited the passenger side of their patrol vehicle and stood next to his door. The suspect vehicle drove onto the sidewalk toward him. He pressed himself against his patrol vehicle and the suspect vehicle drove passed him coming within three to five feet from him. Officer [redacted] believed if he did not move out of the way, the suspect vehicle could have come within one foot from hitting him.

[redacted]

On August 17, 2018, Ms. [redacted] was interviewed by Homicide Investigators Kasey Woodruff, #[redacted], and Teri Bernstein, #[redacted] The interview was summarized in the Homicide casebook **[EXHIBIT A, pages 113 and 114]**. For precise wording, refer to the audio taped interview **[EXHIBIT C]**. The following is a summary of the interview. Ms. [redacted] was stopped by CHP while was driving home from work. After the traffic stop was completed, she was at the intersection of 111th Street and Inglewood Avenue waiting for the light to turn green. She saw the suspect vehicle speeding north on Inglewood Avenue and made a wide turn onto 111th Street colliding into the front passenger hood of her vehicle, then drove up onto the sidewalk **[EXHIBIT C, property damage caused by Suspect Glass]**. The suspect vehicle drove on the sidewalk hitting the passenger side of her vehicle. Ms. [redacted] was not injured, but she was scared.

[redacted]

On August 17, 2018, Mr. [redacted] was interviewed by Homicide Investigators Woodruff and Bernstein. The interview was summarized in the Homicide casebook **[EXHIBIT A, pages 114 and 115]**. For precise wording, refer to the audio taped interview **[EXHIBIT C]**. The following is a summary of the interview.

At 0145 hours, Mr. [redacted] was seated on a raised planter area of a nearby strip mall drinking his coffee and eating his donut. He saw Ms. [redacted] vehicle stopped at the corner when a black Honda drove around the corner and hit her vehicle. The suspect vehicle almost hit a second vehicle parked in a parking lot. The suspect vehicle then drove east on the sidewalk. Mr. [redacted] did not provide further information.

<u>SUSPECT STATEMENTS</u>

Suspect Cornell Glass

On August 17, 2018, Suspect Glass was interviewed by Homicide Investigators Jaime and Gunner. The interview was audio recorded and summarized. For precise wording may be obtained by reviewing the audio recording **[EXHIBIT A, pages 50 and 51 and EXHIBIT C]**.

On January 13, 2021, an IAB Investigator interviewed Suspect Glass via telephone. Suspect Glass was a prisoner housed in the California State Prison, Los Angeles County, located at 44750 60th Street West, Lancaster, CA.

Two days prior to the incident, Suspect Glass purchased a black Honda Accord for his mother and made sure the taillights and brakes lights worked. He paid $5,000 to a Mexican gentlemen named [redacted] who worked at a flower shop. On the day of the incident, he was driving to his [redacted] house in Inglewood. While driving on Imperial Highway, he saw a patrol vehicle make a U-turn and drove behind

him. The deputies turned on their lights to pull him over and he stopped in a residential driveway. A deputy talked to him, but never told him why he was stopped. Suspect Glass got scared and drove off. He did not reverse his vehicle, because the patrol vehicle was behind him. Instead, he drove forward over the resident's grass. Suspect Glass drove into a Jack-in-the-Box parking lot where the deputies caught up to him. As he attempted to exit the parking lot, the deputies attempted a PIT maneuver on his vehicle, but he drove over a curb to avoid it and drove away.

IAB Note: **A Pursuit Intervention Technique (PIT) Manual Policy and Procedures (MPP) 5-09/210.17 was implemented on May 3, 2020. PIT is a tool available to law enforcement to bring a potentially dangerous vehicle pursuit to an end. It is defined as a forced rotational stop of a non-compliant vehicle. MPP 5-09/210.17 was submitted into the Miscellaneous Documents section.**

As he attempted to get away, he hit a vehicle that was stopped by the CHP. He drove over a curb and passed the CHP vehicle. When he reached Lennox Boulevard and Firmona Avenue, the deputy conducted a PIT maneuver on his vehicle. Suspect Glass estimated driving at speeds from 40 to 50 mile per hour (MPH) before coming to a complete stop **(Glass' transcripts, page 9)**. He slowed down to 15 to 20 mph to make a left turn onto Firmona Avenue and the deputy crashed into him. Suspect Glass stated there were several people outside when the collision occurred.

After the collision, both deputies ran up to his vehicle, punched him three times, pepper-sprayed him, and tried to pull him out of his vehicle. He climbed over to the passenger side, opened the door, and ran. He ran about 10 to 15 feet when he heard four gunshots, and then felt he was shot. He was hit twice, once on his back and once on the back of his left thigh. The suspect fell face first with his hands out onto the ground. He laid on the ground until deputies handcuffed his hands behind his back and provided him first-aid. He did not resist nor did the deputies use force on him.

Suspect Glass stated he was in possession of an "FN 5x7" firearm for protection **(Glass' transcripts, page 13)**. The suspect never pointed his firearm at deputies because he kept his firearm on safe inside of a backpack. He said they lied about shooting at him while he was inside his vehicle. He also denied being a gang member and believed the deputies racially profiled him because he was African American.

IAB Note: **A Louis Vuitton handbag/backpack was recovered inside the suspect's vehicle, EXHIBIT A pages 105 and 110.**



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney
VICTORIA L. ADAMS • Assistant District Attorney

SCOTT K. GOODWIN • Director

November 16, 2020

Captain Kent Wegener
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Non-Fatal Officer Involved Shooting of Cornell Glass
J.S.I.D. File #18-0346
L.A.S.D. File #018-06307-0381-055

Dear Captain Wegener:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 17, 2018 non-fatal officer involved shooting of Cornell Glass. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

SHANNON PRESBY
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy Joshua Smilor, #[redacted]
Deputy Dorian Ventura, #[redacted]

L.A. COUNTY SHERIFF'S DEPT.
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NOV 17 2020
INTERNAL AFFAIRS BUREAU

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MEMORANDUM

TO: CAPTAIN KENT WEGENER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-Fatal Officer Involved Shooting of Cornell Glass
J.S.I.D. File #18-0346
L.A.S.D. File #018-06307-0381-055

DATE: November 16, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 17, 2018, non-fatal shooting of Cornell Glass by Los Angeles County Sheriff's Department (LASD) Deputies Joshua Smilor and Dorian Ventura. We have concluded the deputies acted lawfully in self-defense, in defense of others and to stop a fleeing felon.

The District Attorney's Command Center was notified of the shooting at approximately 2:28 a.m., on August 17, 2018. The District Attorney Response Team responded to the location. They were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, recorded interviews, firearm analysis reports, crime scene diagrams, photographs, video evidence, witness statements and the findings of fact and conclusions of law from a criminal bench trial of Glass submitted to this office by LASD Detective Alfred Jaime.[1] Smilor and Ventura's voluntary statements, testimony in case number MA074807 and findings regarding their trial testimony were considered as part of this analysis.

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[1] The findings of fact and conclusions of law are contained in a 100-page document issued on December 4, 2019 by Judge Henry J. Hall after hearing witness testimony and examining physical evidence presented by both the prosecution and defense in case number MA074807. The matter pertained to criminal allegations related to this incident, as well as a series of gang-related home invasion robberies. Judge Hall found Glass guilty of multiple felony offenses, including those pertaining to the subject matter contained in this memorandum. In his findings, Judge Hall explicitly stated his beliefs regarding the credibility of witnesses (including both Smilor and Ventura) and referenced specific trial testimony and exhibits on which his findings were based. Judge Hall was aware of previous administrative actions taken by LASD against Smilor at the time he heard his testimony and the time he issued his findings, yet found both officers' testimony credible and consistent with the physical evidence recovered. To the extent minor inconsistencies existed, Judge Hall found them to be a result of the stressful and chaotic situation, and not indicative of any dishonesty. Judge Hall did not find all law enforcement testimony or civilian testimony credible in the trial.

FACTUAL ANALYSIS

At approximately 1:00 a.m. on August 17, 2018, Los Angeles County Sheriff's Department (LASD) Deputies Joshua Smilor and Dorian Ventura were working in a marked patrol vehicle on Inglewood Avenue between 119th and 120th Streets. They spotted a black Honda Accord with a broken brake light being driven by a man later identified as Cornell Glass. They pulled the vehicle over. Glass stopped the vehicle in a driveway of a home on 119th Place and the deputies stopped their vehicle in the street behind the Honda.

Smilor approached the vehicle on the driver's side while Ventura approached on the passenger side. Smilor had a discussion with Glass, who indicated he was on parole for a firearm related offense.[2] During the interaction, Smilor observed tattoos on Glass' arms which caused him to believe Glass was a member of a criminal street gang.[3] Smilor further observed that Glass was sweating profusely, was fidgeting, breathing heavily and appeared agitated as he repeatedly looked around. Ventura made the same observations, and both deputies were concerned that this behavior might be indicative of possession of a firearm or other contraband and a precursor to flight.

Smilor asked Glass to exit the vehicle. Glass replied, "Fuck this!" and refused to exit the vehicle. Glass started the vehicle's engine. As he did so, the movement of his arm allowed Smilor to observe the grip and rear slide section of a semiautomatic handgun wedged between the driver's seat and the center console of the Honda. Smilor recognized the weapon as an, "FN57."[4] Ventura also observed the weapon, but was unable to see what type of firearm it was.

Smilor yelled for Glass to stop. Glass, who was angry and agitated, replied, "Fuck you! I'm not getting out!" Glass placed the gear in reverse, looked at Smilor who was standing next to the open driver's side window, turned the steering wheel to the right and "floored" the accelerator.[5] The vehicle quickly moved towards Smilor who attempted to get out of the way. Smilor fell to the ground and was unsure whether or not he had been struck by the vehicle.[6]

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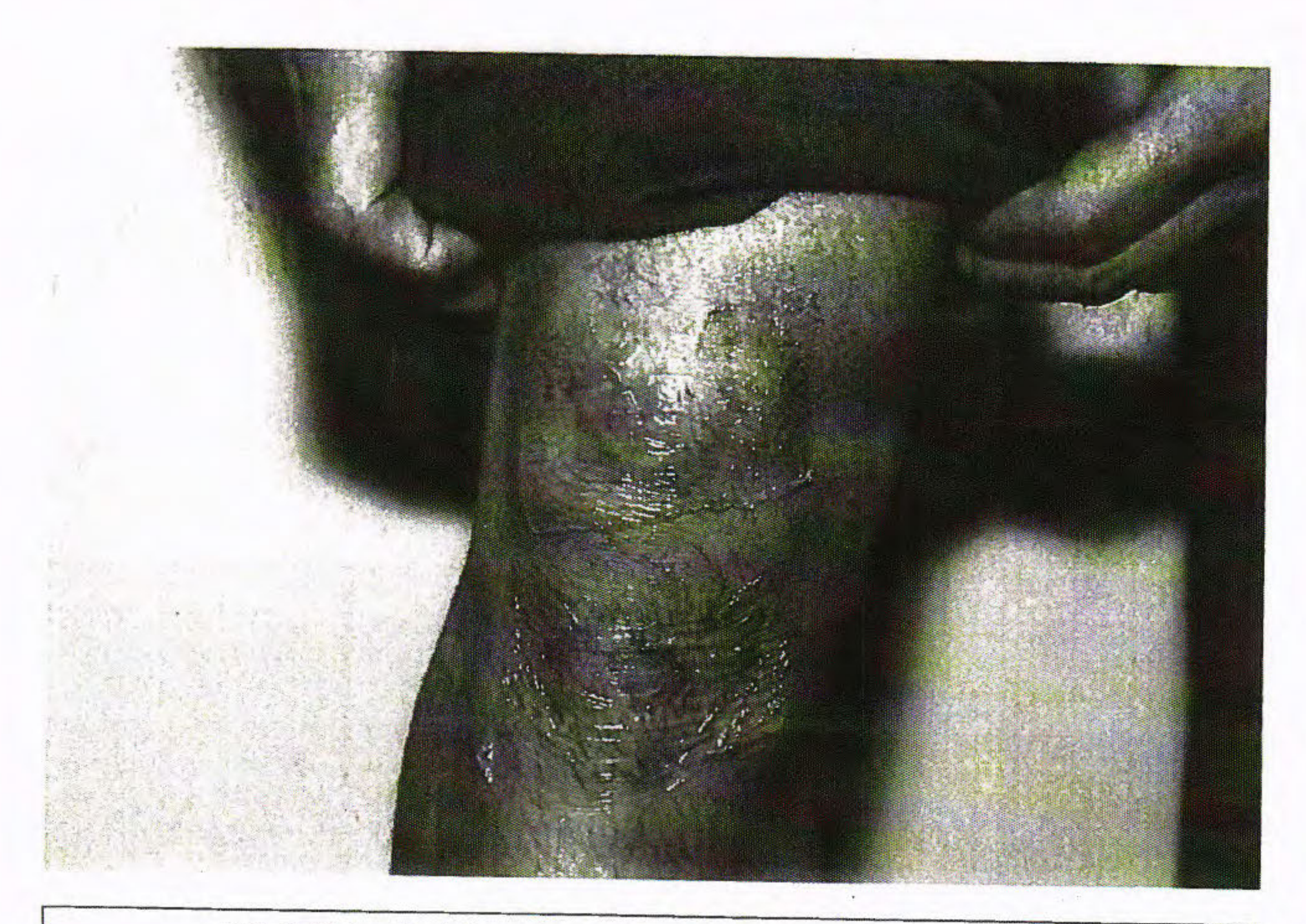
[2] This information was not confirmed at the time, and later found to be inaccurate, as Glass had recently completed his parole term.

[3] Subsequent investigation revealed that Glass was a member of the Rolling 60's, a criminal street gang which operated in the area. An enhancement alleging several of the crimes charged against Glass were committed in furtherance of a criminal street gang was also found to be true.

[4] The FN57 is commonly referred to as a "cop killer" due to its ammunition's reputed ability to pierce the ballistic vests worn by law enforcement officers.

[5] Glass could have driven straight ahead rather than in reverse to escape the deputies, and his only escape path was forward, not backwards.

[6] Smilor suffered injuries to his hands and knees which required medical treatment.



Smilor's injuries after falling to the ground and possibly being struck by Glass' vehicle

Glass struck the front of the patrol vehicle as he was reversing, then shifted into drive and accelerated away across the lawn of an adjoining property. Smilor stumbled as he ran back to the patrol vehicle, dropping his notebook and other items from his pockets.[7] Both Smilor and Ventura believed Glass had deliberately attempted to strike Smilor with his vehicle.[8]

[7] These items were later recovered by Deputy Raymond Lopez.

[8] Judge Hall concluded in his findings, "The evidence establishes beyond a reasonable doubt that Defendant Glass intentionally attempted to strike Deputy Smilor with his car. He did not have to reverse his car in Deputy Smilor's direction in order to escape, indeed, he could *only* escape by going forward, which he ultimately did. Moroever, the uncontradicted evidence is that Defendant Glass turned the steering wheel hard to the right. The only purpose to do this while in reverse is to direct the car at Deputy Smilor." Glass was found guilty of assaulting Smilor with a deadly weapon and/or means likely to cause great bodily injury.



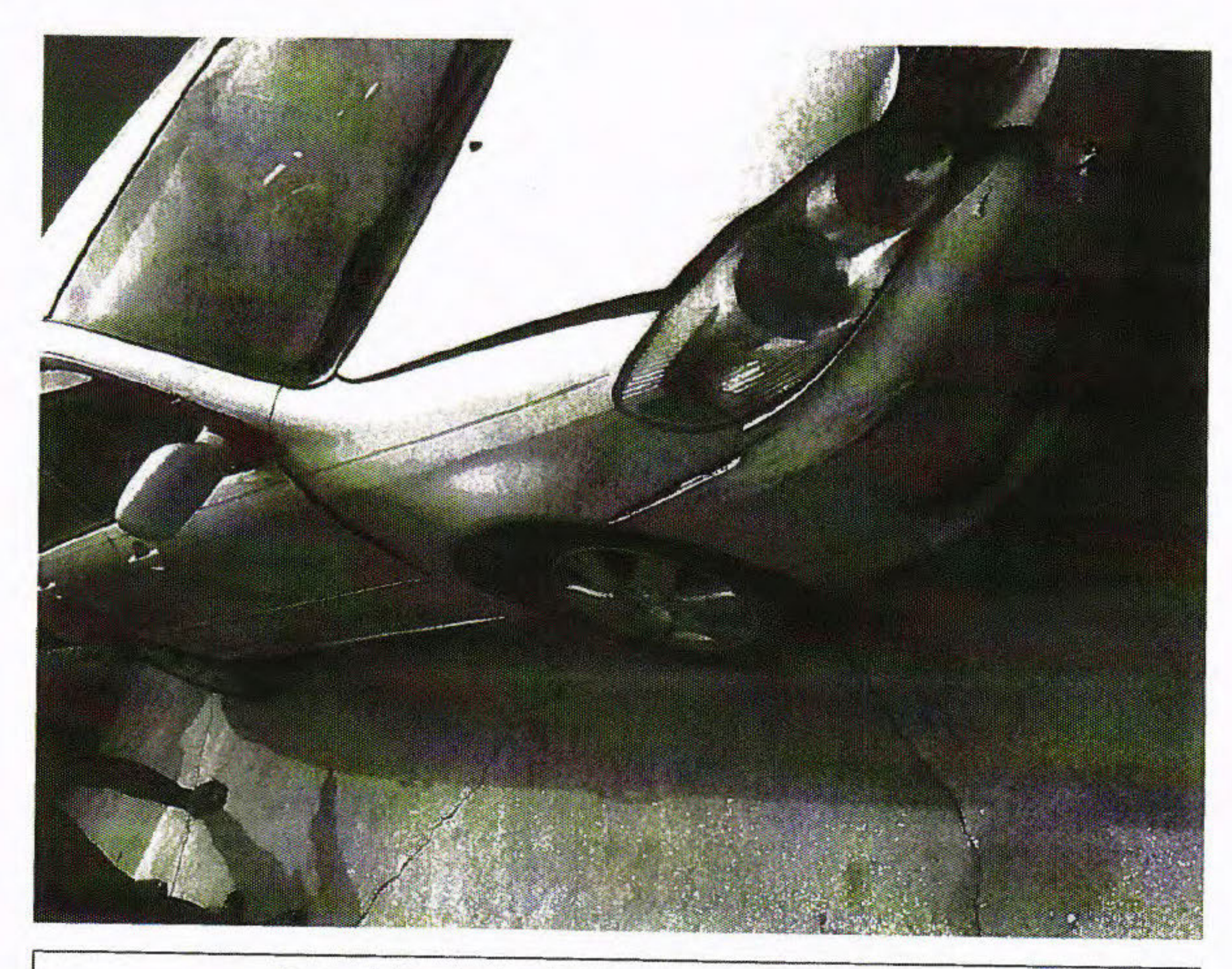
Damage to the patrol vehicle from the collision caused by Glass

Smilor and Ventura re-entered their vehicle and observed Glass' taillights ahead in the distance. They lost sight of the Honda and began searching nearby streets. They spotted the Honda approximately 30 to 40 seconds later, 50 to 200 yards from them. Glass had turned off the vehicle's lights and was making evasive turns as the deputies attempted to catch up to the vehicle and verify it was the same Honda. Once they got closer to the vehicle, Ventura confirmed via the license plate number that it was the vehicle they had stopped earlier. Smilor activated the patrol car's siren and overhead lights and attempted to pull Glass over.

Glass did not comply and instead accelerated away. Glass sped through a Jack-in-the-Box parking lot, aimed his car at the patrol vehicle, then swerved at the last minute avoiding a collision by approximately five yards. Glass then drove over a wall, a curb and some grass before entering Imperial Highway. The deputies reversed out of the parking lot and pursued Glass.

Glass turned westbound onto Sepulveda Boulevard with the deputies following. The deputies observed him committing several traffic violations, including driving on the wrong side of the road into lanes of opposing traffic, running red lights and stop signs and driving at excessive speeds.

When Glass reached 111th Street and Inglewood Avenue, his vehicle jumped the curb, drove onto the sidewalk and crashed into a vehicle that had been stopped by the California Highway Patrol (CHP). The collision damaged the vehicle which was owned by [redacted]



Damage to [redacted]'s vehicle from the Honda colliding into it

Glass drove his vehicle down the sidewalk after the crash and swerved his vehicle toward CHP Officer [redacted], who was standing near the passenger's side of his patrol car, positioned behind [redacted] vehicle, narrowly missing him.[9]

Glass did not stop his vehicle, but continued down 111th Street. Smilor and Ventura continued to give chase. Glass made his way back to Lennox Boulevard and made a wide left turn onto the corner of Firmona and Lennox Boulevards. The deputies' patrol vehicle suffered brake fade and collided with the back of Glass' car, ending the pursuit which had lasted between two to three minutes and spanned a total distance of one to two miles.

Smilor exited the patrol vehicle and approached the driver's side door of the Honda. The vehicle was still running and was rocking back and forth as if Glass was still attempting to move it. Smilor observed that Glass had a "death grip" on the steering wheel of the vehicle. Knowing there was a

[9] Dash camera footage from the LASD and CHP vehicles clearly depict Glass making a noticeable swerve towards [redacted]. In his findings, Judge Hall also concluded that this act was an intentional assault on [redacted] and found Glass guilty of assault with a deadly weapon and/or by means likely to cause great bodily injury.

firearm in the vehicle, Smilor grabbed Glass' hands and attempted to get them out of the open driver's side window. Smilor repeatedly ordered Glass to exit the vehicle but Glass did not comply.

Ventura approached the vehicle from the rear and observed the struggle between Glass and Smilor. Ventura yelled for Glass to "stop fighting and get out of the car." Glass refused. Ventura punched Glass in the face twice in an attempt to subdue him, but this had no effect. Smilor continued struggling with Glass. When Glass continued resisting, Smilor told Ventura he was going to deploy pepper spray. Ventura moved to the back of the vehicle and Smilor sprayed Glass, causing him to remove his hands from the steering wheel and move them towards his face. Smilor opened the driver's side door to pull Glass from the vehicle. As he did so, Glass moved toward the passenger's side of the vehicle and positioned himself in the driver's seat with one foot still in the passenger's side foot well. As he did so, Smilor observed Glass reach down to the center console with his right hand and retrieve the weapon. Glass raised the gun and pointed it at Smilor's chest.[10]

Ventura saw Glass move but his view of Glass' hands was obstructed by Glass' position. Ventura saw that Smilor appeared to be "shocked," and then saw Glass holding a black semiautomatic firearm in his right hand, tucked into his body. The firearm was pointed at Smilor's chest. Frightened that Glass was going to begin shooting, Ventura took one step backward as Smilor fired one round at Glass' midsection before retreating and seeking cover.[11] Ventura did not see who fired the shot and believed his partner had been shot by Glass.

Glass "popped up" on the passenger side of the vehicle, then exited from the front passenger side.[12] Glass looked at Smilor and started moving towards the rear of the vehicle where Smilor and Ventura had taken cover.[13] Glass' hands were not visible from that location. Smilor fired two additional rounds from his service weapon as Glass approached their position.[14] As Glass reached the rear of his vehicle, he ducked before proceeding onto Lennox Boulevard. Ventura moved parallel to Glass while issuing commands for Glass to show his hands as Smilor radioed for backup. Smilor then joined Ventura as Glass turned to look at the deputies. Neither Smilor nor Ventura could see Glass' hands and neither deputy knew if Glass was still armed with the firearm. Glass leaned over, causing Ventura to believe he was arming himself.[15] In fear for his and Smilor's

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[10] Glass was convicted of assault with a firearm against Smilor. In his findings, Judge Hall concluded that both deputies' testimony concerning the assault were credible and the physical evidence was consistent with their testimony.

[11] This round does not appear to have struck Glass.

[12] Smilor could not see whether he exited from the door or the window of the vehicle; Ventura observed Glass exit through the window.

[13] During the bench trial, the defense contended that Glass did not run towards the deputies' location. Judge Hall made a factual finding that Glass did, in fact, run towards the deputies based upon the physical evidence presented at the trial. Surveillance video from a nearby location shows Glass running and Officer Ventura firing his weapon. Glass is out of the screen immediately before and at the time Ventura fired rounds. No civilian witnesses to the officer-involved shooting were located. One woman initially claimed to have seen the incident, but was not cooperative with deputies and left the location without providing contact information.

[14] These rounds also appear to have missed Glass.

[15] During the bench trial, the defense produced a surveillance video from a house near the crime scene. To the extent the video showed Glass' arms in a different position than the deputies' recollections, Judge Hall determined it had "limited relevance because it was shot from an angle that the deputies could not see and included information that was blocked by Defendant Glass' body. It certainly does not support the conclusion that the deputies knowingly shot the defendant unlawfully and are fabricating the assault on Deputy Smilor to cover up that unlawful shooting."

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safety, Ventura fired two rounds from his service weapon, causing Glass to fall to the ground. Glass was facing the ground with his hands underneath him. Repeated orders to show his hands were met with a lack of compliance.



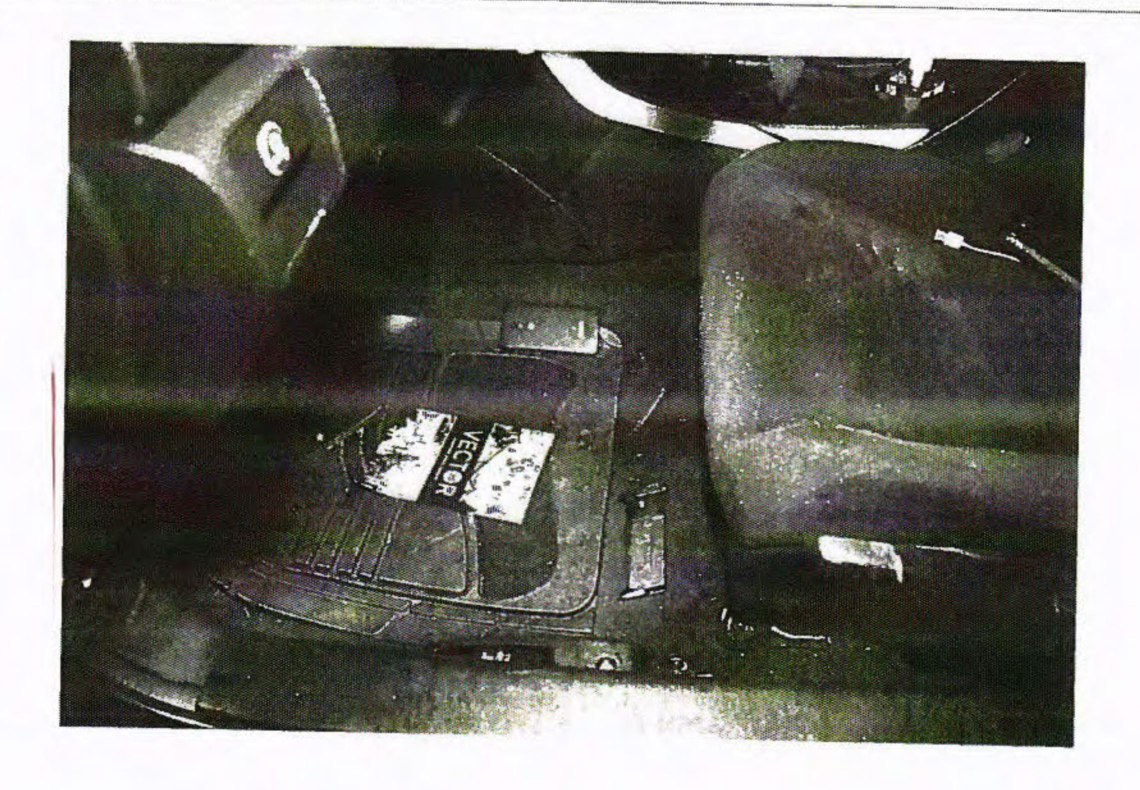
Location of Glass' vehicle after the collision

Once backup units arrived at the location, Glass was taken into custody and provided with medical treatment by deputies until paramedics arrived and transported him to the hospital. The firearm was not found on Glass' person, but was recovered by Deputy Carly Braveman, who located the item on the front driver's seat of the Honda with its muzzle facing toward the open driver's side window where Smilor had been standing. The weapon contained a fully loaded magazine as well as one round in the chamber. A second loaded magazine was recovered from the driver's side floorboard of the vehicle. [16]

[16] The gun and magazine were loaded with blue tipped rounds of the type known to pierce ballistic armor.



Firearm recovered from the driver's seat of Glass' vehicle and second magazine recovered from the floorboard



Glass made statements to deputies assigned to accompany him to the hospital where he was treated for gunshot wounds to his left upper thigh and right buttocks. Glass admitted to possessing the gun for protection because "there's a lot of black men killing each other."[17] Glass also said he was sorry and was "not going to do this again."

A subsequent interview by detectives was also conducted. Glass told detectives he had been shot in the back while running. Glass said he did not remember being stopped by the police and said he was afraid of police because his [redacted] had been shot previously by deputies in Lancaster.[18] Glass denied committing any traffic offenses and claimed his taillight was not broken, as it had recently been repaired.

Glass initially claimed to have no recollection of any vehicle collisions or almost hitting a CHP officer. Later, Glass said he drove by the CHP officers "so the deputies could not shoot him" and so the CHP could see the deputies "harassing" him. Glass also denied having struck the LASD patrol vehicle and claimed he did not have a gun in the vehicle. Glass refused to provide a voluntary DNA sample for comparison to the firearm which was recovered.

Glass alleged that he was racially profiled and harassed by the deputies multiple times during the interview. Glass also claimed to not remember the incident, and said if his DNA or fingerprints were on the gun it would be because the deputies put his hand on the gun while he was unconscious.[19]

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

In protecting himself or another, a person may use all the force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALCRIM No. 3470. If the person's beliefs were reasonable, the danger does not need to have actually existed. *Id.*

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An

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[17] DNA analysis of the firearm also detected the presence of Glass' DNA.

[18] Per the investigating officer, Glass' [redacted] was shot by deputies while stabbing his [redacted] while inside a vehicle.

[19] Glass' DNA was found not only on the firearm, but also on the magazine which was inserted in the firearm. Further, Glass [redacted] When arrested in the instant matter, he possessed a large amount of cash which was identified [redacted] Glass was out on bail [redacted] when this incident occurred, posted bail again after he was shot and was subsequently arrested for having committed another robbery while on bail for charges pertaining to this incident. The gun recovered in this matter was stolen in a residential burglary shortly before the officer-involved shooting.

officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

An officer has "probable cause" in this context when he knows facts which would "persuade someone of reasonable caution that the other person is going to cause serious physical harm to another." CALCRIM No. 507. When acting under Penal Code section 196, the officer may use only so much force as a reasonable person would find necessary under the circumstances. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. And he may only resort to deadly force when the resistance of the person being taken into custody "appears to the officer likely to inflict great bodily injury on himself or those acting with him." *Id.* at 1146; quoting *People v. Bond* (1910) 13 Cal.App. 175, 189-190. The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

"Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety." *People v. Collins* (1961) 189 Cal.App.2d 575, 589.

California law also permits the use of deadly force by police officers when necessary to affect the arrest of a person who has committed a forcible and atrocious felony which threatens death or serious bodily harm. *People v. Ceballos* (1974) 12 Cal.3d 470. Forcible and atrocious crimes are those crimes whose character and manner reasonably create a fear of death or serious bodily injury. *Ceballos, supra,* 12 Cal.3d at 479. "An officer may use reasonable force to make an arrest, prevent escape or overcome resistance." *Brown v. Ransweiler* (2009) 171 Cal.App.4th 516. When protecting the public peace, a police officer "is entitled to even greater use of force than might be in the same circumstances required for self-defense." *Id.*

The U.S. Supreme Court has further clarified that when an escaping felon is using a vehicle to effectuate his escape, the risk to the lives of innocent bystanders may be higher. *Plumhoff v. Rickard* (2014) 134 S. Ct. 2012.

CONCLUSION

In the instant matter, Smilor fired his service weapon after Glass had pointed a gun at him. Though none of his rounds struck Glass, his use of deadly force is clearly justified in self-defense. Later, after Glass had exited his vehicle, both Smilor and Ventura were unable to see Glass' hands. When Glass turned towards them, having already exhibited a wanton disregard for human life during the pursuit, multiple collisions and use of his vehicle as a deadly weapon towards both Smilor and Church, and having previously been observed with a firearm in his hand, it was not unreasonable for Ventura to believe Glass was still armed or arming himself with a handgun as he bent down. As such, the use of deadly force was also reasonable. Although not articulated by either deputy, each use of deadly force was also lawful to apprehend a fleeing felon. Given the fact that Glass had twice committed assault with a deadly weapon during the incident, the deputies were legally justified in using deadly force to apprehend him under the law at the time this incident occurred.

We find that Deputies Smilor and Ventura acted lawfully in self-defense, in defense of others and to stop a fleeing felon when they used deadly force against Cornell Glass. We are closing our file and will take no further action in this matter.